



Appeal Decision

Site visit made on 9 April 2025

by **Jonathan Price BA(Hons) DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal Ref: APP/W3520/W/24/3353193

West Barn, Dagworth Hall Barns, Dagworth Lane, Old Newton, Suffolk IP14 3QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms L Clancy against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/02960.
 - The development proposed is change of use of existing outbuilding to form detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal was described in the planning application form as 'conversion of detached building to dwelling (self-build)'. Although ticking the box to the effect this description had not changed, the appeal form refers to the proposed development as 'change of use of existing outbuilding to form detached dwelling'. As no further case is made over this being a 'self-build' proposal, I have used the more recent description given in the appeal form.

Main Issue

3. The main issue in the appeal is whether the proposal would accord with development plan policy, including in respect of its effects on the character and appearance of the area, the setting of the nearby listed buildings and highway safety.

Reasons

4. The outbuilding reflects permission granted on 20 June 2017¹ for a single storey detached building with music room and stables. This was conditioned to providing music use and accommodating horses owned by the occupier of the main dwelling at West Barn, for purposes incidental to the enjoyment of that dwellinghouse. Although said to have initially been used as stables and a music room, the building has since provided ancillary accommodation to West Barn and been let for holiday purposes. The appellant now wishes to downsize from West Barn and use the building as a separate dwelling.
5. Although of the same dimensions and general appearance of the approved scheme, being of a single-storey L-shaped plan with an artificial slate roof and black feather-edged boarded wall above a red brick plinth, there are differences as

¹ Application ref 1595/17

built, including in fenestration and internal layout. These relate to its existing use as residential accommodation. In my view, the development already amounts to a dwelling, with all that is required for independent rather than ancillary residential use. The proposal seeks approval for further changes to the accommodation, including a larger kitchen and a relocated double bedroom, with a second, ensuite bathroom.

6. Compared to the approved scheme, one of the two stable spaces is smaller and used for household storage. The other stable space is built larger, and now provides a single bedroom, shower and toilet room and entrance hall. There is a double bedroom occupying the space approved as a tack and feed room. The sound studio has become a kitchen and the music practice area a sitting room. Other features present include an outside barbeque hut, a gravelled entrance and parking area², air source heating, a raised deck patio off the sitting room French window and tall close boarded fencing screening the rear garden.
7. Policy SP03 of the 2023 Babergh and Mid Suffolk Joint Local Plan (JLP) establishes the sustainable location of new development by focusing this within defined settlement boundaries or plan allocations. The subject building is in a relatively remote rural location, along a narrow country lane that serves West Barn, and a small group of historic buildings associated with Dagworth Hall. Being beyond the JLP settlement boundaries, Policy SP03 would normally only permit development here where specified considerations apply. Of these, the appellant's case relies upon JLP Policy LP04, as listed in Policy SP03 Table 5, and what is now paragraph 84 of the National Planning Policy Framework (the Framework). Both relate to a development which would re-use a redundant or disused building and enhance its immediate setting.
8. Policy SP03 Table 5 refers only to parts 1 and 2 of Policy LP04. This infers that the criteria in part 3 do not apply to proposals outside settlement boundaries. These include, in paragraph d), reusing redundant or disused buildings only where possible and, in paragraph e), conversions in sensitive areas not being more visually intrusive than the original building. Part 1 is not relevant, as the proposal is not a replacement dwelling. Only the requirements of part 2 of Policy LP04 definitely apply, whereby proposals for conversion of buildings to residential must demonstrate the structure is capable of accommodating the use and the development would reuse redundant or disused buildings and enhance its immediate setting.
9. There is no dispute over the existing structure being capable of accommodating a dwelling, as it currently does so. However, this is a relatively recent development, with little tangible evidence of having been provided through the conversion of former stables and a music room. Given the investment involved in accommodating the music and stabling uses, and regardless of how mutually incompatible these would seem, the redundancy and disuse must have occurred very soon after construction.
10. The approved music room and stables plans seemed readily adaptable to becoming a dwelling, and the survey drawings of what was built, even more so. However, were it accepted that the development genuinely relates to the re-use of a redundant or disused music and stables building, there remains the further

² The location plan shows the access as existing and the siting of the barbeque hut.

requirement in part 2 of Policy LP04 and Framework paragraph 84 for the development to enhance its immediate setting. It would be reasonable to associate such a requirement with a residential conversion remedying the poor appearance of a disused or redundant building, justifying this as an exception to a general restraint on new housing in the countryside. Although not the case in this instance, the policies nonetheless require there to be enhancement.

11. The outbuilding reflects permitted plans that at the time the Council deemed not harmful to the character and appearance of the area or the setting of the nearby listed buildings. The further external changes proposed relate mainly to lowering two high level windows to provide outlook to the bedrooms and enclosing the open porch area. With regard to the further features, such as the barbeque hut and the decking, these are not part of the permission sought. The removal of these features and the restriction on implementing further permitted development might be attained through conditions. The most this proposal might reasonably be considered to achieve is having the same effect as the approved scheme. This would clearly not meet the requirement in Policy LP04, reflective of Framework paragraph 84, for a residential conversion to enhance its immediate setting.
12. By the same token, the proposal would not satisfy JLP Policy SP09, which requires development to support and contribute to the conservation, enhancement and management of the historic environment and historic landscapes. Also, in terms of landscape impacts, the proposal would not be supported by Policy LP17. Compared to the approved ancillary and stabling use, a permanent dwelling would give rise to greater conflict with its objectives to conserve and enhance landscape character, where it would fail to be sensitive to considerations such as preserving the dark skies and tranquillity provided in such a remote rural location.
13. In deciding this appeal, I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the settings of the listed buildings in this location. The appeal building is within land attached to West Barn, which itself forms part of a historic group associated with Dagworth Hall; a substantial Grade II listed medieval house with later additions and alterations. As well as the Hall, the nearby oast house, horse engine and Hall Cottage are also individually Grade II listed.
14. Policy LP19 of the JLP addresses the historic environment. Where potentially affecting heritage assets, this requires a statement to describe the significance of any of these affected by a proposal, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact. In this regard, the appellant had in the planning statement identified these four listed buildings, with a plan of their location relative to the appeal proposal. It is held by the appellant that, given the separation distances involved, the proposal would not have any material impact whatsoever on the significance or the setting of the nearby designated heritage assets, as demonstrated by the Council having already approved a building of the same scale and design here.
15. The appellant has not described the significance of these heritage assets in sufficient detail relative to their importance. The Council's assessment refers to these listed buildings, along with the barn, as forming a rare survival of specialist structures of a distinctive range of materials. I accept the Council's finding that historically there would have been a functional link between these buildings and

their grouping within open countryside is an important aspect of their setting and positively contributes to their significance. I agree that the new dwelling encroaches into this setting and detracts from the appreciation and understanding of this group of designated heritage assets.

16. Were the appellant's case accepted that the effects of this proposal could be made no different to those of the permitted scheme, such as to have a neutral effect, this would be sufficient to preserve the settings of this group of listed buildings and comply with Policy LP19. By the same argument, the proposal might still be considered to adequately reflect the local vernacular and respond to and safeguard existing character and context, so as to comply with the design requirements of JLP Policy LP24.
17. Dagworth Lane is evidently not public highway, where traffic levels appear very low, and vehicle speeds would be constrained by its narrow width and unmade condition. The existing access to the site provides adequate visibility and turning space. Notwithstanding the holding objection from the local highway authority, I am satisfied that safe and suitable access is provided, such that this proposal complies with JLP Policy LP29.
18. However, through conflict with Policy LP04, the proposal would not gain the support of JLP Policy SP03 over development outside of settlement boundaries. It would conflict with the underlying aim of this policy to accommodate development within settlements, where the need to travel can be reduced through good access to facilities and services and significant adverse impacts avoided or mitigated to better recognise the intrinsic character of the countryside.

Conclusion

19. Drawing the policy threads together, this proposal would be in conflict with the JLP when considered as a whole, even assuming a neutral effect on the character and appearance of the area and the setting of the nearby listed buildings. The JLP is recently adopted and remains generally consistent with the Framework. Material considerations would not indicate a decision otherwise than in accordance with the development plan and therefore I conclude that the appeal be dismissed.

Jonathan Price

INSPECTOR